

15-DAY PUBLIC NOTICE AND COMMENT PERIOD  
NOTICE OF PUBLIC AVAILABILITY OF POST-HEARING CHANGES

***ELECTRONIC HAZARDOUS WASTE REGULATIONS***

Department Reference Number: R-01-06

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Pursuant to Government Code section 11346.8, subdivision (c), notice is hereby given that the Department of Toxic Substances Control (DTSC) has revised the text of the proposed regulations that would establish management standards for cathode ray tubes (CRTs) and consumer electronic devices (CEDs) in accordance with the State's existing universal waste regulations.

DTSC mailed and made the original text available for public review and comment on August 16, 2002. A public hearing was held on September 30, 2002, during which DTSC accepted written and oral testimony. In addition, written comments were accepted during the 45-day public comment period that ended September 30, 2002. DTSC has now made post-hearing changes to the proposed text. DTSC has determined that these changes do not impact the findings of the previously proposed Negative Declaration prepared pursuant to the California Environmental Quality Act (CEQA). The public notice for the Negative Declaration was published on August 30, 2002 and the 30-day public comment period for that document ended on September 30, 2002.

DTSC considers these new changes to the rulemaking to be nonsubstantial changes, as defined by California Code of Regulations, title 1, section 40, and/or sufficiently related changes, as defined by California Code of Regulations, title 1, section 42.

This notice includes all revisions made to the text since those indicated during the original public comment period on August 16, 2002. Notice is given that any interested persons may submit comments regarding these revisions and only these revisions of the text by email to [regs@dtsc.ca.gov](mailto:regs@dtsc.ca.gov) or by mail to:

Ms. Joan Ferber  
Department of Toxic Substances Control  
Environmental Analysis and Regulations Section  
P.O. Box 806  
Sacramento, CA 95812-0806

Written comments submitted prior to 5:00 p.m. on November 4, 2002, will be considered.

A copy of the revised text is attached. The changes to the original text are indicated as follows:

|                            |  |
|----------------------------|--|
| Underline                  | <u>Underline</u><br>Text proposed to be added to existing regulations in the first public comment period.  |
| Strikeout                  | <del>Strikeout</del><br>Text proposed to be deleted from existing regulations in the first public comment period.  |
| Bold/double underline      | <b><u>Bold/double underline</u></b><br>Text proposed to be added to the rulemaking in this public comment period (most current revisions).   |
| Bold/strikeout             | <b><del>Bold/strikeout</del></b><br>Text proposed to be deleted from the rulemaking in this public comment period (most current revisions).  |
| Italic                     | <i>Italic</i><br>Text adopted in the Cathode Ray Tube Emergency Regulations.   |
| Italic/strikeout           | <del><i>Italic/strikeout</i></del><br>Text deleted from the Cathode Ray Tube Emergency Regulations in the first public comment period.   |
| Bold/italic/strikeout      | <b><del><i>Bold/italic/strikeout</i></del></b><br>Text deleted from the Cathode Ray Tube Emergency Regulations in this public comment period (most current version).   |
| Bolded underline           | <b><u>Bolded underline</u></b><br>Text adopted in the Restoration of Universal Waste Rule Enforcement Authority Emergency Regulations.   |
| Bolded underline/strikeout | <b><del><u>Bolded underline/strikeout</u></del></b><br>Text deleted from the Restoration of Universal Waste Rule Enforcement Authority Emergency Regulations in this public comment period (most current revisions). |

Note that text that has not been modified for this comment period has not been reprinted in this notice and is represented by an ellipsis (\*\*\*).

The information which forms the basis for the revisions is available for public inspection between 8:00 a.m. and 5:00 p.m. at the Environmental Analysis and Regulations

Section, located at 1001 I Street, 22<sup>nd</sup> Floor, Sacramento, California. Requests and inquiries concerning this matter may be directed to Ms. Joan Ferber, Environmental Analysis and Regulations Section, DTSC, at the address indicated above or by telephone at (916) 322-6409. If Ms. Ferber is unavailable, please call Ms. Nicole Sotak at (916) 327-4508 or Mr. James McRitchie at (916) 327-8642.

Inquiries regarding technical aspects of the proposed revisions should be directed to Ms. Ellen L. Haertle, of the Hazardous Waste Management Program, DTSC, at (916) 324-1814 or by email at [ehaertle@dtsc.ca.gov](mailto:ehaertle@dtsc.ca.gov). If Ms. Haertle is unavailable, please call Mr. Charles Corcoran at (916) 327-4499.

Dated: October 18, 2001

Original signed by  
James McRitchie, Chief  
Office of Environmental Analysis,  
Regulations and Audits

**Amend** California Code of Regulations, title 22, division 4.5, chapter 11, section 66261.9 to read:

**§ 66261.9. Requirements for Universal Waste.**

(a) The **hazardous** wastes listed in this section are exempt from ~~regulation the management requirements under of~~ chapter 6.5 of division 20, ~~except for article 8, of~~ the California Health and Safety Code and its implementing regulations except as specified in chapter 23 and, therefore, are not fully regulated as hazardous waste. The wastes listed in this section are subject to regulation under chapter 23 ~~and article 8 of chapter 6.5 of division 20 of the Health and Safety Code~~ **shall be known as “universal wastes.”**

- (1) Batteries as described in section 66273.2;
- (2) Thermostats as described in section 66273.4; ~~and~~
- (3) Lamps as described in section 66273.5; ~~;~~
- (4) Cathode ray tube materials, as described in section 66273.6;
- (5) Consumer electronic devices as described in section 66273.3;
- (6) Aerosol cans as specified in Health and Safety Code section 25201.16; and
- (7) Mercury-containing motor vehicle light switches as specified in Health and Safety Code section 25214.5.

~~(b) Waste cathode ray tube materials as described in section 66273.6 are conditionally exempt from classification as hazardous waste provided that they are managed in compliance with the standards of chapter 23.~~

(c) ~~(b)~~ Universal wastes shall be managed as hazardous wastes after arrival at a destination facility.

**~~(d) (c) Wastes specified in subsections (a) and (b) shall be known as “universal wastes.”~~**

NOTE: Authority cited: Sections 25141, 25150, 25150.6, 25219.1 and 58012, Health and Safety Code. Reference: Sections **25117.2**, 25141, 25150, 25159.5, **25180 to 25196**, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR section 261.9.

**Amend** California Code of Regulations, title 22, division 4.5, chapter 14, section 66264.1 to read:

**§ 66264.1. Purpose, Scope and Applicability.**

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(g) The requirements of this chapter do not apply to:

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(12) ~~Universal waste handlers and universal waste transporters (as defined in section 66273.9) handling the wastes listed below. These handlers are subject to regulation under chapter 23, when handling the~~ below listed universal Persons who manage universal waste. These persons are subject to regulation under chapter 23 when managing universal wastes listed in section 66261.9(a) of this division.

~~(A) Batteries as described in section 66273.2;~~

~~(B) Thermostats as described in section 66273.4; and~~

~~(C) Lamps as described in section 66273.5.~~

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**Amend** California Code of Regulations, title 22, division 4.5, chapter 15, section 66265.1 to read:

**§ 66265.1. Purpose, Scope, and Applicability.**

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(d) The requirements of this chapter do not apply to:

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(15) ~~Universal waste handlers and universal waste transporters (as defined in section 66273.9) handling the wastes listed below. These handlers are subject to regulation under chapter 23, when handling the~~ below listed universal Persons who manage universal waste. These persons are subject to regulation under chapter 23 when managing universal wastes listed in section 66261.9 of this division.

~~(A) Batteries as described in section 66273.2;~~

~~(B) Thermostats as described in section 66273.4; and~~

~~(C) Lamps as described in section 66273.5.~~

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**Amend** California Code of Regulations, title 22, division 4.5, chapter 18, section 66268.1 to read:

**§ 66268.1. Purpose, Scope and Applicability.**

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(g) ~~Universal waste handlers and universal waste transporters (as defined in section 66273.9)~~ Persons who manage universal waste are exempt from sections 66268.7 and 66268.50 ~~for the hazardous wastes listed below~~. These persons handlers are subject to regulation under chapter 23; when handling managing universal wastes listed in section 66261.9 of this division.

- ~~(1) Batteries as described in section 66273.2;~~
- ~~(2) Thermostats as described in section 66273.4;~~
- ~~(3) Lamps as described in section 66273.5.~~

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**Amend** California Code of Regulations, title 22, division 4.5, chapter 20, section 66270.1 to read:

**§ 66270.1. Purpose and Scope of These Regulations.**

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(c) Scope of the Permit Requirements.

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(2) Specific exclusions. The following persons are among those who are not required to obtain a permit:

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(E) ~~Universal waste handlers and universal waste transporters (as defined in section 66273.9) managing the wastes listed below. These handlers are subject to regulation under chapter 23; when handling~~ Persons who manage universal waste. These persons are subject to regulation under chapter 23 when managing universal wastes listed in section 66261.9 of this division.

- ~~1. Batteries as described in section 66273.2;~~
- ~~2. Thermostats as described in section 66273.4;~~
- ~~3. Lamps as described in section 66273.5.~~

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**Add** California Code of Regulations, title 22, division 4.5, chapter 23, section 66273.6 to read:

' **66273.6. *Applicability--CRT materials.***

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*(b) CRT materials not covered under ~~this~~ chapter 23.*

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*(5) CRT materials exempted pursuant to subsection 66273.8~~(f)~~(c);*

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**Amend** California Code of Regulations, title 22, division 4.5, chapter 23, section 66273.8 to read:

**66273.8. Household, and Conditionally Exempt Small Quantity Generator and Electronic Product Generator Exemptions.**

(a) Temporary disposal exemption for specific universal wastes.

(1) Through February 8, 2006, universal waste *batteries, universal waste lamps, and universal waste mercury thermostats*, and universal waste consumer electronic devices produced by a household, as defined in section 66273.9, produced incidental to owning or leasing and maintaining a place of residence, ~~is~~ are not classified as hazardous waste and may be managed as non-hazardous solid waste, provided ~~the wastes it is recycled by a destination facility or is~~ they are disposed in a landfill permitted to accept municipal solid waste or hazardous waste.

(b) (2) Through February 8, 2004, 100 kilograms (220 pounds) or less per month of universal waste batteries, universal waste thermostats, and universal waste lamps generated by conditionally exempt small quantity universal waste generators as defined in section 66273.9 may be managed as non-hazardous waste, provided ~~the wastes it is they are recycled by a destination facility or is~~ are disposed in a landfill permitted to accept municipal solid waste or hazardous waste and the generator remains in compliance with subsections ~~(c)(2) (a)(3)(B), (c)(3) (a)(3)(C), and (c)(4) (a)(3)(D)~~ of this section. The quantity limit applies to the total amounts of universal waste batteries, universal waste thermostats, and universal waste lamps added together.

(c) (3) From February 9, 2004 through February 8, 2006, universal waste *batteries, universal waste lamps and universal waste mercury thermostats* produced by a conditionally exempt small quantity universal waste generator, as defined in section 66273.9, may be managed as non-hazardous solid waste, provided they are managed according to the following criteria:

(4) (A) Universal wastes are disposed as non-hazardous waste in no more than the following quantities:

(A) 1. No more than 30 universal waste lamps in any calendar month; and

(B) 2. No more than 20 pounds of universal waste batteries in any calendar month; and

(C) 3. No universal waste thermostats.

(2) (B) The generator's total generation of RCRA hazardous waste and universal waste does not exceed 100 kilograms (220 pounds) or, if the generator generates acutely hazardous waste, 1 kilogram (2.2 pounds) of acutely hazardous waste, in any calendar month.

(3) (C) The waste is recycled by a destination facility or disposed in a landfill permitted to accept municipal solid waste or hazardous waste; and

(4) (D) The generator remains in compliance with 40 CFR section 261.5.

(4) Through February 8, 2006, universal waste consumer electronic devices generated by conditionally exempt small quantity universal waste generators as defined in section 66273.9 may be managed as non-hazardous solid waste, provided ~~the wastes they are recycled by a destination facility or~~ are disposed in a landfill permitted to accept municipal solid waste or hazardous waste and the generator

remains in compliance with subsections (a)(3)(B), (a)(3)(C), and (a)(3)(D) of this section.

(d) ~~(5)~~ Persons who commingle the household and conditionally exempt small quantity universal waste generator wastes described in subsections ~~(a), (b), and (c)~~ (a)(1), (a)(2), and (a)(3) of this section together with other universal waste regulated under this chapter shall manage the commingled waste under the requirements of this chapter.

(b) Household exemptions.

A person maintaining a household is exempt from the requirements of this ~~division and~~ chapter **6.5 of the Health and Safety Code** for the management of that person's universal waste, provided:

~~(1)(A)~~ the waste is not disposed, except for those wastes exempted pursuant to subsection (a) of this section;

~~(B) (2)~~ the person does not disassemble or otherwise treat the waste, except under the provisions of section 66273.13; and

~~(C) (3)~~ the universal waste generated by the person is transported to another universal waste handler or to a destination facility.

(c) Conditionally Exempt Small Quantity Universal Waste Generator Exemption.

A conditionally exempt small quantity universal waste generator is exempt from the requirements of this chapter for the management of that person's universal waste, provided:

(1) the waste is not disposed, except for those wastes exempted pursuant to subsection (a) of this section;

(2) the person does not disassemble or otherwise treat the waste, except under the provisions of section 66273.13; and

(3) the universal waste generated by the person is transported to another universal waste handler or to a destination facility.

(e) ~~(c) (d)~~ Persons managing universal waste identified as household hazardous waste pursuant to 40 CFR section 261.4 and persons identified as conditionally exempt small quantity generators pursuant to 40 CFR section 261.5 may, at their option, manage their universal wastes under this chapter. If these persons decide to not manage their waste pursuant to this chapter, as provided in this section, these wastes must be managed pursuant to the standards for other hazardous wastes under this division and Chapter 6.5 of the Health and Safety Code.

~~(f) "Electronic product generators," as defined in section 66273.9, are exempt from the requirements contained in sections 66273.82 through 66273.89 pertaining to CRT devices provided the generator manages the CRT devices in accordance with all of the following conditions:~~

~~(1) The electronic product generator does not dispose of any CRT device; and~~

~~(2) The electronic product generator does not disassemble or otherwise treat any CRT device; and~~

~~(3) All CRT devices generated by the electronic product generator are transported to a CRT material handler or to a permitted household hazardous waste collection facility.~~

NOTE: Authority cited: Sections 25141, 25150, 25150.6, 25219.1 and 58012, Health and Safety Code. Reference: Sections 25141, 25150, 25159.5, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR sections 261.4, 261.5 and 273.8.

Amend California Code of Regulations, title 22, division 4.5, chapter 23, section 66273.9 to read:

**66273.9. Definitions.**

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“Conditionally exempt small quantity universal waste generator” means a generator of universal waste who generates:

~~(1) Through February 8, 2004:~~

~~(A) (a) generates no more than 100 kilograms (220 pounds) of RCRA hazardous wastes and no more than 1 kilogram (2.2 pounds) of acutely hazardous waste in any calendar month; When making the quantity determination of this section, the generator must includeing all universal waste except CRT materials, and all RCRA hazardous waste, but excluding, CRT materials; and~~

~~(b) generates a total of five or less CRT devices in a calendar year; and~~

~~(B) (c) remains in compliance with 40 CFR section 261.5; and ;~~

~~(2) from February 9, 2004 through February 8, 2006;~~

~~(A) generates no more than 100 kilograms (220 pounds) of RCRA hazardous wastes and no more than 1 kilogram (2.2 pounds) of acutely hazardous waste in any calendar month including all universal waste and all RCRA hazardous waste; and~~

~~(B) no more than 30 universal waste lamps in any calendar month; and~~

~~(C) no more than 20 pounds of universal waste batteries in any calendar month; and~~

~~(D) remains in compliance with 40 CFR section 261.5.~~

“Consumer Electronic Device” means any electronic device, or any component of an electronic device, ~~that is used in the home or elsewhere~~, including, but not limited to, computers, computer peripherals, telephones, answering machines, radios, stereo equipment, tape players/recorders, phonographs, video cassette players/recorders, compact disc players/recorders, calculators, and some appliances. A consumer electronic device does not include any CRT device as defined in this section, or any major appliance as defined in the Public Resources Code section 42166. The requirements of this chapter only apply to consumer electronic devices as described in subsection 66273.3(a) (i.e., those wastes that exhibit the characteristic of toxicity).

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“CRT material handler” means any person ~~that who~~ generates, accumulates, stores, treats, or recycles any universal waste CRT material.

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“Large Quantity Handler of Universal Waste” means a universal waste handler (as defined in this section) who accumulates 5,000 kilograms or more total of universal

waste (e.g., batteries, thermostats, ~~or~~ lamps, etc., calculated collectively) at any time. This designation as a large quantity handler of universal waste is retained through the end of the calendar year in which 5,000 kilograms or more total of universal waste is accumulated.

**“Management” means handling, storage, transportation, processing, treatment, recovery, recycling, transfer and disposal.**

\*\*\*

“Small Quantity Handler of Universal Waste” means a universal waste handler (as defined in this section) who does not accumulate 5,000 kilograms or more total of universal waste (e.g., batteries, thermostats, ~~or~~ lamps, etc., calculated collectively) at any time.

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“Universal Waste” means any of the following wastes that are listed in ~~conditionally exempt from classification as hazardous wastes pursuant to section 66261.9(a):~~

- ~~(a) Batteries as described in section 66273.2;~~
- ~~(b) Thermostats as described in section 66273.4;~~
- ~~(c) Lamps as described in section 66273.5; and~~
- ~~(d) Cathode ray tube materials as described in section 66273.6.~~

“Universal Waste Handler”:

(a) Means:

(1) A generator (as defined in section 66260.10 and this section) of universal waste; or

(2) The owner or operator of a facility, including all contiguous property, that receives universal waste from other universal waste handlers, accumulates universal waste, and sends universal waste to another universal waste handler, to a destination facility, or to a foreign destination.

(b) Does not mean:

(1) A person who treats (except under the provisions of section 66273.13, ~~or~~ section 66273.33(a), (b), or (c), **or section 66273.83(b) or (c)**), disposes of, or recycles universal waste; or

(2) A person engaged in the off-site transportation of universal waste by air, rail, highway, or water, including a universal waste transfer facility.

(3) A CRT material handler, as defined in this section.

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**Amend** California Code of Regulations, title 22, division 4.5, chapter 23, section 66273.13 to read:

**§ 66273.13. Waste Management.**

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**(d) Reserved.**

**(e) Consumer electronic devices.** A small quantity handler of universal waste shall manage consumer electronic devices in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

**(1) A small quantity handler of universal waste shall contain any consumer electronic device in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the consumer electronic devices. Such containers and packages shall lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions. Whole consumer electronic devices that are managed in a manner that prevents breakage of the device and release of hazardous components of the device (e.g, shrink-wrapped on a pallet) shall be considered to comply with this requirement.**

**(2) A small quantity handler of universal waste may disassemble a consumer electronic device provided the handler:**

**(A) Removes only those discrete assemblies that are typically removed during the normal operation of the consumer electronic device, such as the removal and replacement of batteries or ink cartridges; and**

**(B) Conducts the disassembly in the manner prescribed in the operating manual for the consumer electronic device, or that would otherwise be performed during the normal use of the consumer electronic device.**

**(2)(3) A small quantity handler of universal waste shall immediately clean up and place in a container any consumer electronic device that is broken and shall place in a container any consumer electronic device that shows evidence of breakage, leakage, or damage that could cause the release of hazardous constituents to the environment. Containers shall be closed, structurally sound, compatible with the contents of the consumer electronic devices and shall lack evidence of leakage, spillage or damage that could cause releases of hazardous components to the environment under reasonably foreseeable conditions.**

NOTE: Authority Cited: Sections 25141, 25150, 25150.6, 25219.1, 25219.2 and 58012, Health and Safety Code. Reference: Sections 25141, 25150, 25159.5, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR Section 273.13.

**Amend** California Code of Regulations, title 22, division 4.5, chapter 23, section 66273.14 to read:

**§ 66273.14. Labeling/Marking.**

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(d) **Reserved.**

(e) Each consumer electronic device or a container or package in which consumer electronic devices are contained shall be labeled or marked clearly with one of the following phrases: "Universal Waste--Consumer Electronic Device(s)" or "UW--Consumer Electronic Device(s)."

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**Amend** California Code of Regulations, title 22, division 4.5, chapter 23, section 66273.33 to read:

**§ 66273.33. Waste Management.**

\*\*\*

**(d) Reserved.**

**(e) Consumer electronic devices.** A large quantity handler of universal waste shall manage consumer electronic devices in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

**(1) A large quantity handler of universal waste shall contain any consumer electronic device in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the consumer electronic devices. Such containers and packages shall lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions. Whole consumer electronic devices that are managed in a manner that prevents breakage of the device and release of hazardous components of the device (e.g, shrink-wrapped on a pallet) shall be considered to comply with this requirement.**

**(2) A large quantity handler of universal waste may disassemble a consumer electronic device provided the handler:**

**(A) Removes only those discrete assemblies that are typically removed during the normal operation of the consumer electronic device, such as the removal and replacement of batteries or ink cartridges; and**

**(B) Conducts the disassembly in the manner prescribed in the operating manual for the consumer electronic device, or that would otherwise be performed during the normal use of the consumer electronic device.**

**(2)(3) A large quantity handler of universal waste shall immediately clean up and place in a container any consumer electronic device that is broken and shall place in a container any consumer electronic device that shows evidence of breakage, leakage, or damage that could cause the release of hazardous constituents to the environment. Containers shall be closed, structurally sound, compatible with the contents of the consumer electronic devices and shall lack evidence of leakage, spillage or damage that could cause leakage or releases of hazardous components to the environment under reasonably foreseeable conditions.**

NOTE: Authority Cited: Sections 25141, 25150, 25150.6, 25219.1 and 58012, Health and Safety Code. Reference: Section 25141, 25150, 25159.5, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR Section 273.33.

**Amend** California Code of Regulations, title 22, division 4.5, chapter 23, section 66273.34 to read:

**§ 66273.34. Labeling/Marking.**

\*\*\*

(d) **Reserved.**

(e) Each consumer electronic device or a container or package in which consumer electronic devices are contained shall be labeled or marked clearly with one of the following phrases: "Universal Waste--Consumer Electronic Device(s)" or "UW--Consumer Electronic Device(s)."

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**Amend** California Code of Regulations, title 22, division 4.5, chapter 23, section 66273.51 to read:

**' 66273.51. Prohibitions.**

A universal waste transporter is:

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**(c) Prohibited from transporting more than five CRTs and CRT devices at any one time unless the CRT materials are contained as described in subsection 66273.83(a)(1).**

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**Amend** California Code of Regulations, title 22, division 4.5, chapter 23, section 66273.56 to read:

**' 66273.56. Exports.**

A universal waste transporter transporting a shipment of universal waste to a foreign destination other than to those OECD countries specified in section 66262.58(a)(1) (in which case the transporter is subject to the requirements of article 8 of chapter 12) may not accept a shipment if the transporter knows the shipment does not conform to the EPA Acknowledgment of Consent. In addition the transporter shall ensure that:

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Add California Code of Regulations, title 22, division 4.5, chapter 23, article 7, section 66273.82 to read:

**66273.82. Notification Requirements for CRT Material Handlers.**

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(b) A CRT material handler that accepts more than five CRTs or more than five CRT devices or more than 100 kilograms of CRT glass per calendar year from any offsite source shall, ~~no later than by November 1~~ **February 1** of each calendar year, **commencing February 1, 2004**, ~~commencing November 1, 2001, send~~ submit written or electronic notification containing the information specified in subsection (d) to the Department ~~and to the local CUPA~~. For written notifications, the notification shall be submitted by certified mail, return receipt. The information submitted under this subsection shall cover CRT material handling activities during the previous calendar year (October 1 to September 30). ~~A permitted Household Hazardous Waste Collection Facility, as defined in HSC Health and Safety Code section 25218.1, may elect to submit this information in conjunction with the notification required by HSC Health and Safety Code section 25218.9 in lieu of submitting a separate notification.~~

(c) A CRT material handler that generates 5,000 kilograms (about 200 CRTs) or more of CRT material (CRTs, CRT devices and CRT glass calculated collectively) per calendar year shall, ~~no later than by November 1~~ **February 1** of each calendar year, **commencing February 1, 2004**, ~~commencing November 1, 2001, send~~ submit written or electronic notification containing the information specified in subsection (d) to the Department ~~and to the local CUPA~~. For written notifications, the notification shall be submitted by certified mail, return receipt. The information submitted under this subsection shall cover CRT material handling activities during the previous calendar year (October 1 to September 30).

(d) This notification shall include:

- (1) The CRT material handler's name and mailing address;
- (2) The name and business telephone number of the person at the CRT material handler's site who should be contacted regarding universal waste management activities;
- (3) The address or physical location including the county of the CRT material management activities;
- (4) The total quantity of CRTs (count), the total quantity of CRT devices (count) and the total quantity of CRT glass (weight) handled during the previous year;

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Add California Code of Regulations, title 22, division 4.5, chapter 23, article 7, section 66273.83 to read:

**66273.83. Waste Management.**

**(a) Containment.**

A CRT material handler shall manage CRT materials in a manner that prevents release of any CRT material or component of a CRT material to the environment, as follows:

(1) A CRT material handler shall contain any CRT materials in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the container (CRTs, CRT devices and CRT glass). Such containers and packages shall lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions. ~~Whole CRT devices that are managed~~ A CRT material handler who manages whole CRT devices in a manner that prevents breakage of the CRT and release of CRT glass (e.g., shrink-wrapped on a pallet) shall be considered to comply with this requirement.

**(b) CRT removal.**

(1) A CRT material handler may remove CRTs from CRT devices provided the handler:

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**(c) CRT material treatment and recycling.**

A CRT material handler may treat or recycle CRTs, CRT devices or CRT glass provided the handler:

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(6) Prepares and submits an annual report to the Department. The annual report shall be delivered by certified mail, return receipt requested, to the Department ~~no later than by~~ **November 1 February 1** of each calendar year, ~~beginning November 1, 2002.~~ The report shall be dated and signed according to the requirements of section 66270.11 as those requirements apply to permit applications, and shall include the following information for each CRT material handler who treated CRT materials during the ~~calendar~~ previous **calendar** year **(October 1 to September 30)**:

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(10) Utilizes only treatment methods that employ one or more of the following technologies:

(A) physical processes that change only the physical properties of the waste such as cutting, sawing, breaking, shredding, crushing, or compacting; and/or

(B) separation based on differences in physical properties such as size, color, or density; and/or

(C) screening to separate components based on size;

(11) Ensures the treatment is conducted without the use or application of:

(A) ~~chemicals (including water)~~ chemicals, including water, other than recirculated coolant used in CRT cutting machines; or

(B) external heat, other than the use of a pinpoint torch to thermally check (crack) the CRT glass for separation;

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(13) Ensures that the facility is operated in compliance with all applicable local and state air pollution control laws and regulations; ~~and~~ :

(14) Ensures that the facility is operated in compliance with all applicable worker health and safety laws and regulations [i.e., California Code of Regulations, title 8, subchapter 7 (General Industry Safety Orders), group 16 (Control of Hazardous Substances), article 107 (Dusts, Fumes, Vapors and Mists) and article 109 (Hazardous Substances and Processes), and section 5198 (Lead)].

~~(14)~~ (15) Ensures that all materials generated as a result of the treatment processes are properly classified and managed in accordance with the applicable requirements of this division.

~~(15)~~ (16) Ensures that the activities conducted at the facility are consistent with local zoning or land use requirements for that site.

~~(16)~~ (17) Maintains compliance with the requirements of sections 66265.18 and 66265.25 of chapter 15 as those requirements apply to facility location and design standards.

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**Add** California Code of Regulations, title 22, division 4.5, chapter 23, article 7, section 66273.86 to read:

**' 66273.86. Employee Training.**

*(a) A CRT material handler shall inform all employees who handle or have responsibility for managing CRT material of the proper handling and emergency procedures appropriate for the waste handled at the facility.*

**(b) At a minimum, eEmployees who manage or handle waste CRT materials shall receive initial training on:**

(1) the hazards associated with handling CRT materials (i.e., leaded glass);  
(2) the requirements contained in this chapter; and  
(3) the proper procedures for responding to and managing releases of CRT glass.

(b) (c) Employees shall take part in an annual review of the initial training required in subsection (a) (b) of this section.

(c) (d) The CRT material handler shall maintain records of employee training received under subsection (a) (b) of this section for at least three years from the date the employee last worked at the facility. Personnel training records may accompany personnel transferred within the same company.

*NOTE: Authority cited: Sections 25141, 25150, 25150.6 and 58012, Health and Safety Code. Reference: Sections 25141, 25150 and 25159.5, Health and Safety Code.*